

HAMPTON PLANNING BOARD

Minutes

September 2, 2009 – 7:00 p.m.

PRESENT: Mark Loopley, Chair
Fran McMahon, Vice Chair
Robert Viviano
Tracy Emerick
Keith Lessard
Mark Olson, Clerk
Richard Bateman, Selectman Member
James Steffen, Town Planner

ABSENT: None

I. CALL TO ORDER

Chairman Loopley began the meeting at 7:00 PM by introducing the Board members and leading the Pledge of Allegiance to the flag.

II. ATTENDING TO BE HEARD

- Parking Lot Application – 55 Harbor Road

Vincent Iacozzi and Ernest Thibault appeared and explained their application for a 50 vehicle parking lot. Mr. Lessard asked how many boat slips were at the Marina and it was noted there was approximately 130. Mr. Lessard was concerned that there were more slips than parking spots available. There was discussion about parking prior to applying for a permit, which was addressed by letter from the Town to the applicant. Mr. Lessard was concerned about the plan and that it does not depict existing conditions. Mr. Viviano asked how long the applicants were hoping have temporary parking and Mr. Steffen said that the regulations for temporary parking could be for one year only. Mr. Thibault said that he believed that the plan conforms to the application requirements. Mr. Steffen noted he would like to see more detail on the plan, and that when he went out to the site, there were boats in the spots designated for vehicle parking. Mr. Bateman asked about mitigation plans and how to address the lack of egress for neighboring properties. There was further discussion about previous weekends where the police department responded to complaints about illegal parking on the property. Mr. Steffen noted that he has spoken to the Police Department and their concerns were primarily with the buildup of cars on Fellows Avenue. Mr. Thibault noted he would like to withdraw the application and would come back in the spring with a more detailed plan for the next season.

- Julie LaBranche – Natural Resources Chapter Update

Ms. LaBranche appeared and detailed the changes and recommendations to the Natural Resources Chapter Update. She said the majority of recommendations came from the Conservation Commission; each of these changes was reviewed. Open space areas and farmland soils were discussed. Mr. Emerick asked if the International Building Code had low water flow requirements. Ms. LaBranche said that State codes do, but the Master Plan allows the Town to be stricter than the State. Water filtration, water resources, coastal resources and invasive species were also discussed.

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III. NEW PUBLIC HEARINGS

09-038 15 Church St
Map: 275 Lot: 45 & 49
Applicant: Gabriello Gabrielli
Special Permit to Impact Wetlands: Relocate a garden, enlarge the wetlands and replace existing garden with gravel.

BOARD

Chairman Loopley noted that the applicant requested a continuance to the 10/21/09 Planning Board Meeting.

MOVED by Mr. Emerick to continue the referenced application to the 10/21/09 meeting.

SECOND by Mr. Lessard

VOTE 7-0-0 MOTION PASSED

09-041 76 A & B Kings Highway
Map: 196 Lot: 26
Applicant: Paul Lepere
Condominium Conversion.
Owner of Record: Samantha Real Estate Development LLC

APPLICANT

Randy Radkay appeared on behalf of the applicant Paul Lepere and detailed the application for condominium conversion. It was noted that this application is identical to 78 Kings Highway condo conversion that appeared in front of the Board a couple of months ago. Mr. Radkay noted that the variance had been listed on the plan, but the Board was hoping to see the full variance on the plan, rather than a reference to the decision. There was discussion about unit parking and the driveway.

PUBLIC

No Comment

BOARD

There was discussion about having numbered parking spaces and numbering the units. Mr. Radkay discussed the condominium documents, and that they are the exact same as the 78 Kings Highway condo conversion.

MOVED by Mr. Viviano to approve the above listed condominium conversion with the conditions of the Planners Memo dated 08/31/09 and that the condominium documents be reviewed by the Town Attorney.

SECOND by Mr. McMahon

VOTE 7-0-0 MOTION PASSED

09-042 12 Nor'east Lane
Map: 99 Lot: 8
Applicant: Harold Hoefle
Special Permit to Impact Wetlands: Remove and replace retaining wall.
Owner of Record: Nor'east Lane Irrevocable Trust of 2005

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Chairman Loopley noted that the applicant requested a continuance to the 10/07/09 Planning Board meeting.

MOVED by Mr. Emerick to continue the referenced application to the 10/07/09 meeting.

SECOND by Mr. McMahon

VOTE **7-0-0** **MOTION PASSED**

09-043

446 Winnacunnet Road

Map: 221 Lot: 7-2

Applicant: Dell-Steve Realty Trust

Condominium Conversion.

Waiver Request: Section: V (E) Detailed Plan

APPLICANT

Peter Ross appeared with Attorney Peter Saari of Casassa and Ryan. Attorney Saari detailed the application explaining that the conversion represents change in form of ownership.

PUBLIC

No Comment

BOARD

No Comment

MOVED by Mr. Lessard to approve the Waiver Request: Section: V (E) Detailed Plan

SECOND by Mr. Emerick

VOTE **7-0-0** **MOTION PASSED**

MOVED by Mr. Lessard to approve the above listed condominium conversion with the conditions listed on the Planner's Memo dated 09/01/09.

SECOND by Mr. McMahon

VOTE **7-0-0** **MOTION PASSED**

IV. CONTINUED PUBLIC HEARINGS

09-029

143 Island Path Continued from 07/01/09

Map: 281 Lot: 43

Applicant: Nancy Wheeler

Special Permit to Impact Wetlands: Construct a garage over an existing gravel driveway and a screen porch located on top of the existing deck. The existing shed is to remain and the garage will be attached to it.

BOARD

Chairman Loopley noted that the applicant requested a continuance to the 10/07/09 Planning Board meeting.

MOVED by Mr. Emerick to continue the referenced application to the 10/07/09 meeting.

SECOND by Mr. McMahon

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VOTE 7-0-0 MOTION PASSED

09-034 26 Tuttle Ave Continued from 08/05/09

Map: 292 Lot: 55

Applicant: Laurice Haines

Special Permit to Impact Wetlands: Go out eight (8) feet onto deck to enlarge living area of present sunroom. Will have gutters with rain barrels to catch water.

Owner of Record: Laurice M Haines Trust

APPLICANT

Laurice Haines the applicant appeared and detailed the special permit, noting she would like to expand her sunroom. She spoke about the removal of rubber mulch and plantings being added. Mr. Lessard was concerned about Montauk Daisies being an evasive species. Ms. Haines said if needed she can add Rosa Rugosa bushes instead of the Daisies.

PUBLIC

No Comment.

BOARD

No Comment.

MOVED by Mr. Lessard to approve the special permit to impact wetlands with the conditions of the Conservation Commission's memo dated 08/26/09, to notify the Conservation Commission when work is to begin and end, to have the plantings approved by the Conservation Commission and that the applicant obtain all necessary Federal and State permits.

SECOND by Mr. Viviano

VOTE 7-0-0 MOTION PASSED

09-028 67 Plymouth Street Continued from 07/01/09, 08/05/09

Map: 305 Lot: 6

Applicant: Peter Baccus

Special Permit to Impact Wetlands: Install wooden stairs with railings in back of 67 Plymouth St to provide access to beach / river.

Owner of Record: Peter, Lauren & George Baccus

APPLICANT

Tom Grandmason appeared representing the applicant and detailed the special permit application. He asked the Board if a portion of the stairs could be aluminum as an alternative, and the Board agreed that this was a reasonable request. Mr. Lessard asked if the application needed to go to the Board of Selectmen, Mr. Grandmason noted that the seawall application has not gone forward. Mr. Bateman suggested that the applicant have the plan surveyed to make sure that the stairs are on their own property, and not on Town land.

PUBLIC

No Comment.

BOARD

MOVED by Mr. Lessard to approve the above listed special permit with the condition that a portion of the stairs be aluminum, the applicant present a proper depiction of where the stairs

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will be located on the property, the stipulations listed in the Conservation Commission memo dated 08/26/09 and that the applicant obtain all necessary Federal and State Permits.

SECOND by Mr. Emerick

VOTE **6-0-1** **MOTION PASSED** **Mr. Bateman Abstained**

V. CONSIDERATION OF MINUTES of August 19, 2009

Page 1: “Mr. Lessard wanted to see the FEMA not the observed site elevation on the plan.”
Changed to “Mr. Lessard wanted to see the FEMA not the observed site and dumpster elevation on the plan.”

MOVED by Mr. Emerick to approve the minutes as amended

SECOND by Mr. Lessard

VOTE: **5-0-2** **MOTION PASSED** **Mr. Bateman and Mr. Viviano Abstained**

VI. CORRESPONDENCE

VII. OTHER BUSINESS

- Mr. Emerick noted that the CIP has been completed. He explained the attached memo and the considerations of the CIP this year. There was discussion about the Capital Reserve Fund. Mr. Steffen felt that the CIP should be added to the next agenda.
- Mr. Steffen noted that he has a request for a minor field modification for 180 Drakeside Road. He detailed the minor changes to curbing, parking spaces, lighting polls and sidewalks. There was discussion about curbing in the public right of way. Mr. Steffen noted that the proposed changes are all on the property, and not in Town land. Mr. Lessard thought that they should leave the lights alone and the Board agreed. Mr. Lessard would like to require the Department of Public Works to sign off on the Board requiring granite, and the change in the sidewalk.
- Mr. Steffen noted he provided the Board with a schedule for the Governor’s Advisory Commission on Intermodal Transportation (GACIT) hearings, the one in Hampton will be held on 10/13/09 at the Police Station.
- Mr. Viviano asked Mr. Bateman about the Permanent Building Committee. There was discussion about not allowing elected officials to serve on the committee, which has been changed, and Mr. Emerick is volunteering to serve on the Permanent Building Committee. There was discussion about the members of and the goals of the Permanent Building Committee.

VIII. ADJOURNMENT

MOVED by Mr. Lessard to adjourn

SECOND by Mr. McMahon

VOTE: **7-0-0** **MOTION PASSED**

Meeting adjourned at 9:18 pm

Respectfully Submitted,

Candice Sicard, Administrative Assistant